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VIA FACSIMILE, REGULAR MAIL & ECF

May 22, 2012

Hon. Frederic Block
U.S. District Court, EDNY
225 Cadman Plaza East
Brooklyn, NY 11201

Hon. Cheryl L. Pollak
US District Court, EDNY
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Zimmerman, et al. v. Poly Prep, CDS, et al.: 09-CV-4586 (FB) (CLP)

Dear Judge Block and Judge Pollak:

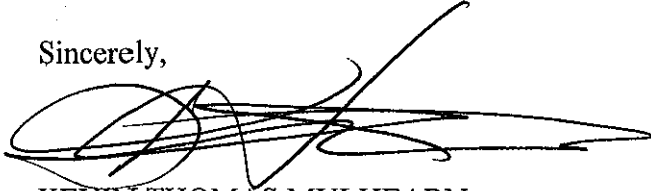
This letter is to formally advise the Court that the settlement negotiations in this case have stalled and reached an impasse.

Accordingly, pursuant to the February 17, 2012 letter of Jeffrey I. Kohn to Judge Block (Docket No. 217), this letter (a copy of which shall be transmitted to Defendants' counsel) provides the requisite notice to the Court and Defendants' counsel that – beginning on Monday, May 28, 2012 – Plaintiffs shall publicly file on ECF all papers referenced by the Court in its January 3, 2012 Order (Docket No. 206), as well as the Third Amended Complaint (with Addendum). These documents shall be filed after the appropriate redaction of confidential information, as ordered by this Court.

On behalf of Plaintiffs and my co-counsel, I thank Judge Pollak for the substantial time and effort she expended in trying to help the parties achieve a resolution of this matter.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Thomas Mulhearn', with a large, stylized flourish extending to the right.

KEVIN THOMAS MULHEARN

KTM/sar

cc: Jeffrey I. Kohn, Esq.
Philip Touitou, Esq.
Harry Petchesky, Esq.